

REMARKS

Amendments to the Claims

Regarding the amendment to claims, the Applicant would like to comment as follows:

The deletion of “of a fish-paste product” in claims 1 and 9 is not for the purpose of adding the new matter, but is for the purpose of clarity.

The deletion of “, said shells covering the ozone gas-containing microbubbles” in claim 1 is for the purpose of clarity.

The amendment of “tissues in raw materials of the fish-paste product, the raw materials including protein and lipid contained in the fish-paste product,” to “with protein and lipid in the raw materials during the step of pestling” in claim 1 is not for the purpose of adding the new matter, but is for the purpose of clarity.

The change of “composed of said tissues” to “composed of said protein and lipid” in claim 1 does not add new matter.

The addition of “a (the) first” in claims 1 and 9 is for the purpose of differentiating from “a secondary stimulation”.

The addition of “further comprising giving a secondary stimulation to another part of the ozone gas-containing microbubbles after processing and packaging the fish-paste product, thereby further sterilizing the fish-paste product by the further formation of active oxygen and free radical species” in claim 1 refers to claim 17. From this thing, claim 17 is canceled. As reason for this amendment (addition), the step of “further comprising giving a secondary stimulation to ...” is after the step of “giving a first stimulation to a part of the ozone gas-containing microbubbles...” (refer to S105 to S108 of Figure 1 of the present invention).

The addition of “the further formation of active oxygen and free radical species kill germs contaminated to the raw materials in the producing process of the fish-past products” in claim 1 does not add new matter. This amendment is drawn from the “Effect of the Invention” section of the present specification.

The addition of “and wherein the fish-paste product is germ-free and has a effect of sterilization even a state of last-products.” in claim 1 does not add new matter (Refer to “Industrial Applicability” in the present specification).

The addition of “secondary” in claims 11, 13, and 15 does not add new matter. Because “stimulation” in claims 11, 13, and 15 corresponds to “secondary stimulation” (refer to page 10 line 24 – page 11 line 4 in the present description).

The addition of “the raw materials containing the said ozone gas-containing microbubbles tentatively stabilized by the coating shells” in claims 9, 11, 13 and 15 does not add new matter (Refer to page 8 line 10 – page 12 line 12 in the present specification).

Claim 19 is canceled.

The newly addition of claim 20 does not add new matter (Refer to “EXAMPLE 1” in the present specification).

Claim Rejections - § 112

Regarding the claim rejections of 35 U.S.C. 112, the Applicant would like to argue that:

By the above amendment of claims 1 and 9, the Applicant thinks that it is clear that the raw materials claimed are processed into the fish-paste.

Therefore, the Applicant believes the present set of claims is clear and complies with 35 U.S.C. 112.

Claim Rejections - § 103

Regarding the cited references (the claim rejections of 35 U.S.C. 103(a)), the Applicant would like to argue that:

The present invention brings the effect (Refer to EXAMPLE of the present invention) of putting bacilli into the state below 0 or the measurement limit almost after processing and packaging the fish-paste product by having the construction of “...giving a first stimulation to a part of the ozone gas-containing microbubbles thereby rupturing coating shells of the ozone gas-containing microbubbles while said ozone gas-containing microbubbles are in the fish-paste product, thereby sterilizing the fish-paste product by the formation of active and free-radical species and further comprising giving a secondary stimulation to another part of the ozone gas-containing microbubbles while processing and packaging the fish-paste product, thereby further sterilizing the fish-paste product by the further formation of active oxygen and free radical species;...(Refer to the above newly claim 1)”. As a result, the fish-paste product of the present

invention is germ-free and has a effect of sterilization even a state of last-products (of the present invention)(Refer to newly claim 1 of the present invention). And, as a reason of having the effect of sterilization even a state of last-products (fish-paste product of the present invention), all of the ozone gas-containing microbubbles do not rupture.

Therefore, the construction, effect and purpose of the present invention (claims 1 of the present invention) are different from four references (Hoashi, Garlick, Swart and Ikeuchi) that the examiner cites. Moreover, claim 1 of the present invention is not a thing that is a combination of the four references that the examiner cites.

Therefore, the Applicant states that claims 1, 3, 5, 9, 11, 13, 15, and 20 of the present invention have non-obvious subject matter and are patentable over the cited prior art.

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The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

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